

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

JOHN DOE,

Plaintiff,

v.

BUTLER UNIVERSITY,

Defendant.

Civil Action No.: 1:22-cv-01828-SEB-MG

PLAINTIFF'S PRELIMINARY WITNESS AND EXHIBIT LISTS

In accordance with the Court's Scheduling Order dated November 22, 2022 (ECF No. 26),

Plaintiff identifies the following witnesses and exhibits.

Witness List

1. John Doe¹
2. J.F.
3. B.P.
4. K.C.
5. S.B.
6. Martha Dwizlik
7. Maria Kanger
8. Kody Rother
9. Bridget Bucey
10. James Danko

¹ John Doe, J.F., B.P., K.C., and S.B. are pseudonyms, as identified in Plaintiff's Complaint (ECF No. 1).

11. Frank Ross
12. Witness 1²
13. Witness 2
14. Witness 3
15. Witness 4
16. Witness 5
17. Witness 6
18. Witness 7
19. Witness 8
20. Witness 9
21. Witness 10
22. Witness 11
23. John Doe's mother
24. John Doe's father
25. Any other witnesses interviewed by Butler University in connection with the allegations against John Doe
26. Any witnesses identified by any party during the course of discovery/depositions
27. Any experts retained by Plaintiff
28. Any experts retained for rebuttal

² Witnesses 1-11 are pseudonyms identified in Butler's investigation report, referenced in paragraph 94 of Plaintiff's Complaint.

Exhibit List

1. Butler University's 2020-2021 Sexual Misconduct Policy
2. Notice of Investigation dated March 12, 2021
3. No Contact Order dated March 12, 2021
4. Final Investigatory Report dated August 2, 2021
5. Notice of Hearing dated August 2, 2021
6. Outcome Letter dated October 29, 2021
7. Correspondence with various Butler administrators and Investigators regarding investigation, hearing, and outcome

Plaintiff reserves the right to amend and include additional witnesses and exhibits.

Dated: New York, New York
January 20, 2023

Respectfully submitted,

NESENOFF & MILTENBERG, LLP
By: /s/ Andrew T. Miltenberg
Andrew T. Miltenberg, Esq.
Stuart Bernstein, Esq.
Kristen Mohr, Esq.
363 Seventh Avenue, Fifth Floor
New York, New York 10001
(212) 736-4500
amiltenberg@nmlplaw.com
sbernstein@nmlplaw.com
kmohr@nmlplaw.com

SAEED & LITTLE, LLP
By: /s/Jonathan Little
Jonathan Little, Esq.
Gabrielle Olshemski, Esq.
133 W. Market Street #189
Indianapolis, IN 46204
jon@sllawfirm.com
gaby@sllawfirm.com